

**MINUTES**  
**REGULAR MEETING OF THE SANDPOINT CITY COUNCIL**  
**July 3, 2019**

**OPENING** Mayor Rognstad called the regular meeting of the City Council to order at 5:30 p.m. on Wednesday, July 3, 2019, in the Council chambers at City Hall, 1123 Lake Street.

**ROLL CALL** Council members Ruehle, Aitken, Aispuro, Darling, and Williamson were present. Councilman Eddy was absent.

**PLEDGE OF ALLEGIANCE** Mayor Rognstad led the Council and the public in the pledge of allegiance to the flag.

**PUBLIC FORUM**

Maureen Tillberg, Sandpoint resident, commented that she believes the proposed moratorium is a bad idea and suggested that Council consider its effects, including local land owners' inability to benefit from their property. In her opinion, the Airport would grow exponentially and prevent land owners from the rightful use of their land. She stated that her neighbors are being intimidated by the Airport to grant easements for airport growth and have been told by airport representatives that, if the easements are not granted, their properties will be taken by eminent domain. Any changes should be made in conjunction with the County, benefitting both the citizens and the Airport. Otherwise, Council will be putting citizens at an economic disadvantage. She believes Council seeks a moratorium in order to defer difficult decisions and have the ability to change the rules, denying citizens their due process. What gives Council the right to allow people's property to be stolen, ruin people's lives, and bankrupt the life savings of people they are supposed to represent in favor of unchecked airport growth?

Steve Tillberg, Sandpoint resident, attended the Mayor's roundtable meeting on June 21. The Bonner County Daily Bee quoted the Mayor as having stated that the Sandpoint Airport generates \$33 million annually. He seeks substantiation of this figure and wonders who benefits from this revenue. Why are County residents subsidizing the Airport at a cost of \$800,000 to \$1 million per year? The Airport Manager has stated that there is no planned expansion of the Airport, but Commissioner McDonald states that the Airport Manager is not a decision-maker in these matters. If larger planes and expansion of the Airport is planned, how does this protect citizens? There are currently schools, churches and businesses in the flight path to the south. Favorable emphasis on airport operations jeopardizes the City's focus on developable pieces of property that would help alleviate the critical shortage of affordable housing.

Patti Howell, Sandpoint resident, stated that she received a letter from the Airport, requesting purchase of her property or the grant of easements. She was told that, otherwise, her property would be taken by eminent domain. She wonders, if the Airport can initiate a moratorium on rezoning for a year, whether "we" can issue a moratorium dictating that they can't do anything with the property for a year.

**ANNOUNCEMENTS**

City Administrator Jennifer Stapleton reported that the City's Parks and Recreation master planning effort is underway. Surveys have been mailed to 3,000 randomly-selected Sandpoint households, and an online survey will soon be made available to anyone, with the hope to receive feedback from the youth in our community and others. The survey is short, will take only 10-15 minutes to complete and can be returned in the postage-paid envelope or completed online. Responses are valuable and will help inform the Parks and Recreation Master Plan. As a reminder, this effort revolves around our traditional parks, open space, recreation programming and trails and all activities that occur in those areas.

City Attorney Will Herrington clarified that eminent domain is the method government entities use to acquire land. The process begins with a certified appraisal, with the entity paying, generally, 100-125% of the value of the property. It is considered a taking, but it is not a theft of property. **Mayor Rognstad** added that a moratorium is not a taking; it simply provides a pause, allowing City Council and the Planning and Zoning Commission

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the time needed to obtain necessary information in order to make better informed decisions.

**CONSENT CALENDAR**

- A. MEETING MINUTES (*approval of City Council minutes; acknowledgment of all others*)
1. City Council, June 19, 2019 (Regular Meeting)
  2. Planning and Zoning Commission – May 7, 2019
  3. Arts Commission – May 14, 2019
  4. Historic Preservation Commission – May 20, 2019
  5. Tree Committee – May 20, 2019

- B. BILLS in the amount of \$346,090.72 for regular payables.

**Councilwoman Williamson moved** that items A-1 through B be approved. **Councilman Aispuro seconded the motion.**

A roll call vote resulted as follows:

Councilwoman Ruehle	Yes
Councilman Aitken	Yes
Councilman Aispuro	Yes
Councilman Darling	Yes
Councilwoman Williamson	Yes
Councilman Eddy	Absent

**The motion passed by a unanimous vote of Council present.**

**OLD BUSINESS**

**C. ORDINANCE NO. 1363 – EICKHOFF REZONE**

**Mayor Rognstad** stated that this proposed ordinance rezones a portion of the property owned by Don Eickhoff, located at 2205 North Boyer Avenue at the northwest corner of Boyer Avenue and Mountain View Drive, identified by parcel number RPS00000107051A. During Council's June 19, 2019, meeting, a public hearing was held, and this zone change was approved.

**Mayor Rognstad** read the title of the Ordinance as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING THE ZONING CLASSIFICATION OF THE PROPERTY DESCRIBED IN SECTION 1 OF THIS ORDINANCE FROM INDUSTRIAL TECHNOLOGY PARK (ITP) TO RESIDENTIAL SINGLE-FAMILY (RS); PROVIDING FOR AMENDMENT TO THE OFFICIAL ZONING MAP TO REFLECT THIS CHANGE; FINDING THAT THE NEW ZONE IS IN ACCORD WITH THE SANDPOINT COMPREHENSIVE PLAN; PROVIDING THAT ALL PRIOR ZONES APPLICABLE TO LANDS DESCRIBED IN SECTION 1 ARE HEREBY SUPERSEDED; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**Councilman Aitken moved** that the proposed ordinance pass its first reading by Title only. **Councilman Aispuro seconded the motion.**

A roll call vote resulted as follows:

Councilman Darling	No
Councilwoman Ruehle	Yes
Councilman Aitken	Yes
Councilwoman Williamson	Yes
Councilman Eddy	Absent
Councilman Aispuro	Yes

**The motion passed by a vote of Council present, and the proposed ordinance passed its first reading by Title only, with Councilman Darling dissenting and stating that, although City Council does have final authority in land use decisions, he believes in and supports the recommendations of City staff and the Planning and Zoning Commission on these matters, and he wished the Commission would have first had the opportunity to consider the option chosen (approving the rezone on just the east half of the property in question) prior to Council decision.**

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**Councilwoman Williamson moved** that the rules requiring three separate readings, once in the ordinance's entirety be suspended and that the proposed ordinance pass its second and third readings under suspension of the rules. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilman Eddy	Absent
Councilman Aispuro	Yes
Councilwoman Ruehle	Yes
Councilman Aitken	Yes
Councilwoman Williamson	Yes
Councilman Darling	No

**The motion passed by a vote of Council present, and the Ordinance was considered read, passed, and adopted under suspension of the rules, with Councilman Darling dissenting. This is Ordinance No. 1363.**

**D. PERFORMANCE PLANNING AND MEASUREMENT PRESENTATION**

Grants and Performance Management Administrator Linda Heiss reported that she moved to Sandpoint about a year ago and was hired by the City approximately 3 months ago. Her background is in post-secondary education at the state level. When she began, she had to educate herself about municipal government and about Sandpoint. The City's strategic plan and strategic priorities are the core and foundation of this planning, with all performance measurements falling under these categories:

- Responsive Government
- Resilient Economy
- Sustainable Environment
- Vibrant Culture
- Livable Community

Ms. Heiss provided a presentation, titled Performance Planning & Measurement, and displayed a series of charts and data, which have been attached to and incorporated within these meeting minutes.

Ms. Stapleton noted that the percentage of Sandpoint's residents who have attended college is higher than other communities in our region, including the Spokane area, where there are several colleges.

Ms. Heiss pointed out that the data reflects a gap in Sandpoint, with wages that are too low and housing costs too high.

Ms. Stapleton stated that the local 1% sales tax revenue has exceeded original estimates, and the City is building up a reserve. Expenditures from these funds are restricted, first, to War Memorial Field surface rehabilitation and then can be used, secondarily, for other parks improvements.

The City's 7% resort city lodging tax collects revenue from visitors, seeking to offset impacts to City services. Excess resort city tax collections in Sandpoint have historically provided \$30,000 per year in property tax relief. Under state law, Sandpoint retains its status as a resort city, so long as our population is less than 10,000. With a current estimated population of over 9,500, Sandpoint is on track to be the first resort city in the state to exceed that mark and lose our resort city status. Per a State Attorney General's Opinion, any resort city tax approved by the voters when the city enjoyed resort city status does not sunset immediately upon the loss of that status but remains in place until the time it was originally set to expire.

Ms. Stapleton responded to **Councilman Aitken** that the additional resort city tax collected may be due, in part, to a few vacation rental properties being added to the rolls, and the new software utilized by the City has revealed some of those. It is more likely

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due, however, to more visitors, more regularly-occupied hotel rooms, and good reporting by our local lodging businesses.

Ms. Heiss stated that she will have a full performance metrics presentation for Council in August.

**Councilwoman Williamson** was struck by the gap between median income and housing costs. She would like to challenge Council to tackle the affordable housing issue. It's persistent and getting worse, and wages play heavily into this equation. This should be a priority for Council for the welfare of our citizens, and this report just illuminates that issue. Ms. Heiss reported that she will be working with the Idaho Department of Labor and other agencies to benchmark Sandpoint against other areas and determine how much someone would need to earn in order to be able to afford to live in Sandpoint.

**NEW BUSINESS**

**E. ORDINANCE NO. 1364 – CITY COUNCIL MEETING RULES AND ORDER OF BUSINESS**

**Mayor Rognstad** stated that this proposed ordinance seeks to amend Sandpoint City Code 1-5-2 to provide that, in the future, City Council rules of order may be adopted or amended by resolution, without the need to amend City Code.

**Mayor Rognstad** read the title of the Ordinance as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE AMENDMENT OF SANDPOINT CITY CODE 1-5-2; PROVIDING THAT RULES OF ORDER MAY BE ADOPTED OR AMENDED BY RESOLUTION; PROVIDING THAT ALL REMAINING PROVISIONS OF CHAPTER 5, TITLE 1, SHALL REMAIN IN FULL FORCE AND EFFECT; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**Councilwoman Williamson moved** that the proposed ordinance pass its first reading by Title only and that the summary be approved. **Councilman Aitken seconded the motion.**

A roll call vote resulted as follows:

Councilwoman Williamson	Yes
Councilman Aitken	Yes
Councilman Darling	Yes
Councilman Eddy	Absent
Councilman Aispuro	Yes
Councilwoman Ruehle	Yes

**The motion passed by a unanimous vote of Council present, the proposed ordinance passed its first reading by Title only, and the summary was approved.**

**Councilman Aitken moved** that the rules requiring three separate readings, once in the ordinance's entirety be suspended and that the proposed ordinance pass its second and third readings under suspension of the rules. **Councilman Aispuro seconded the motion.**

A roll call vote resulted as follows:

Councilman Eddy	Absent
Councilman Aispuro	Yes
Councilwoman Ruehle	Yes
Councilman Aitken	Yes
Councilwoman Williamson	Yes
Councilman Darling	Yes

**The motion passed by a unanimous vote of Council present, and the Ordinance was considered read, passed, and adopted under suspension of the rules. This is Ordinance No. 1364.**

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**F. ORDINANCE NO. 1365 – ZONING DECISION APPEALS**

**Mayor Rognstad** stated that this proposed ordinance seeks to amend Sandpoint City Code 9-9-10 to provide for appeals from Planning and Zoning Commission decisions to City Council within 10 business days, that fees are to be determined by resolution, that appeals to the Council be heard at a regularly-scheduled or special meeting, and that an affected person may seek judicial review of a Council decision within 28 days.

**Mayor Rognstad** read the title of the Ordinance as follows:

AN ORDINANCE OF THE CITY OF SANDPOINT, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR THE AMENDMENT OF SANDPOINT CITY CODE 9-9-10; PROVIDING FOR APPEALS FROM PLANNING AND ZONING DECISIONS TO THE CITY COUNCIL WITHIN TEN (10) BUSINESS DAYS; PROVIDING FOR FEES TO BE DETERMINED BY RESOLUTION; PROVIDING THAT APPEALS TO THE COUNCIL BE HEARD AT A REGULARLY SCHEDULED OR SPECIAL MEETING; PROVIDING THAT AN AFFECTED PERSON MAY SEEK JUDICIAL REVIEW WITHIN TWENTY-EIGHT (28) DAYS; PROVIDING THAT ALL REMAINING PROVISIONS OF CHAPTER 9, TITLE 9, SHALL REMAIN IN FULL FORCE AND EFFECT; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

**Councilwoman Williamson moved** that the proposed ordinance pass its first reading by Title only and that the summary be approved. **Councilman Aispuro seconded the motion.**

A roll call vote resulted as follows:

Councilman Darling	Yes
Councilwoman Ruehle	Yes
Councilwoman Williamson	Yes
Councilman Aispuro	Yes
Councilman Aitken	Yes
Councilman Eddy	Absent

**The motion passed by a unanimous vote of Council present, the proposed ordinance passed its first reading by Title only, and the summary was approved.**

**Councilman Aitken moved** that the rules requiring three separate readings, once in the ordinance's entirety be suspended and that the proposed ordinance pass its second and third readings under suspension of the rules. **Councilman Aispuro seconded the motion.**

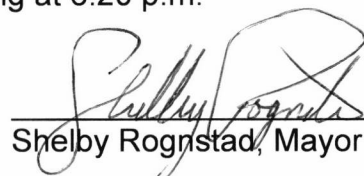
A roll call vote resulted as follows:

Councilwoman Ruehle	Yes
Councilman Eddy	Absent
Councilman Darling	Yes
Councilman Aitken	Yes
Councilman Aispuro	Yes
Councilwoman Williamson	Yes

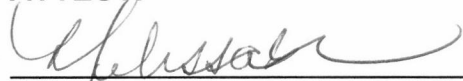
**The motion passed by a unanimous vote of Council present, and the Ordinance was considered read, passed, and adopted under suspension of the rules. This is Ordinance No. 1365.**

**ADJOURNMENT**

**Mayor Rognstad** adjourned the regular meeting at 6:20 p.m.

  
Shelby Rognstad, Mayor

**ATTEST:**

  
Melissa Ward, City Clerk